

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

LLOYD F. AUDETTE,

Plaintiff,

V.

UMASS CORRECTIONAL HEALTH PROGRAM, a
program of the UNIVERSITY OF
MASSACHUSETTS MEDICAL SCHOOL; and
AUGUSTIN ENAW, M.D.,

Defendants.

CIVIL ACTION
NO. 05-10403-DPW

**PLAINTIFF'S NOTICE REGARDING
MOTION TO AMEND COMPLAINT**

Plaintiff, Lloyd F. Audette, respectfully informs the Court that he does not intend to file the Proposed Second Amended Complaint attached as Exhibit A to his Motion to Amend Complaint filed on November 28, 2006, and to the extent necessary, respectfully withdraws his Motion to Amend Complaint. Pursuant to Rules 15(a) and 15(d) of the Federal Rules of Civil Procedure, and with the written consent of all parties, Mr. Audette has filed a Second Amended Complaint in a different form contemporaneously with this Notice.

Respectfully submitted,
LLOYD F. AUDETTE,
By his attorneys,

/s/ T. Peter R. Pound

Donald J. Savery, BBO #564975
Rheba Rutkowski, BBO #632799
Brandon L. Bigelow, BBO #651143
T. Peter R. Pound, BBO #657378
BINGHAM MCCUTCHEN LLP
150 Federal Street
Boston, MA 02110-1726
(617) 951-8000

Dated: April 20, 2007

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the above document was served upon counsel of record for each other party via the CM/ECF system on April 20, 2007.

/s/ T. Peter R. Pound

T. Peter R. Pound